

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name;

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**RAPID METHODS FOR MICROBIAL TYPING AND ENUMERATION**

the specification of which: ☒ is attached hereto.  
☐ was filed on: \_\_\_\_\_  
as Application No.: \_\_\_\_\_  
and was amended on: \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

And I hereby authorize and request our agents, Heller Ehrman White & McAuliffe LLP, whose address is set forth below, to insert above, the filing date and application number of said application when known.

**Prior Foreign Application(s)**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed	
				Yes <input type="checkbox"/>	No <input type="checkbox"/>

**Prior Provisional Application(s)**

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing (day, month, year)
60/263,761	25 January 2001

**Prior United States Application(s)**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is

not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned

And I hereby appoint, both jointly and severally, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys, their registration numbers being listed after their names:

James Remenick, Registration No. 36,902; Paul Booth, Registration No. 40,244; Colin G. Sandercock, Registration No. 31,298; Patricia D. Granados, Registration No. 33,683; John P. Isacson, Registration No. 33,715; Ronald J. Kamis, Registration No. 41,104; Marvin A. Motsenbocker, Registration No. 36,614; Susan McBee, Registration No. 39,294; Joe Puttlitz, Registration No. 45,279; and Stephen Yoder 48,815.

All correspondence and telephone communications should be addressed to Heller Ehrman White & McAuliffe LLP; Intellectual Property Department; 101 Orchard Ridge Drive, Suite 300, Gaithersburg, MD 20878-1917; telephone number (301) 721-6100; facsimile number (301) 721-6299, which is also the address, telephone and facsimile numbers of each of the above listed attorneys.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Full Name of First Inventor: THACKER James D.  
(Family Name) (First Given Name) (Second Given Name)

Citizenship: US

Residence: 713 Washington Street, Marietta, OH 45750

Post Office Address: 713 Washington Street, Marietta, OH 45750

HELLER EHRMAN WHITE & MCAULIFFE LLP  
Intellectual Property Department  
101 Orchard Ridge Dr., Suite 300  
Gaithersburg, MD 20878-1917  
(301) 721-6100 (telephone); (301) 721-6299 (facsimile)